

Mr. SPECTER. I thank the Senator from Illinois for yielding. Before proceeding to his amendment, I would like to commend the Senator from Michigan and the Senator from Illinois for their comments about the great leadership of Rosa Parks to the civil rights movement, and to associate myself with those comments.

I thank the Senator from Illinois.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3010, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2006 and for other purposes.

Pending:

Specter amendment No. 2197, to reduce administrative costs in the Centers for Medicaid and Medicare Services.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 2197

Mr. SPECTER. Mr. President, I move to vitiate the yeas and nays on amendment No. 2197 and proceed to adopt the amendment by voice vote at this time. I cleared this matter with Senator HARKIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to amendment No. 2197.

The amendment (No. 2197) was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, before Senator DURBIN begins, may I again remind my colleagues at the conclusion of this debate, which I would expect to be somewhere in the nature of 20 minutes, we will proceed to a rollcall vote. We expect it to be 15 and 5, limited to 20 minutes, and then we are anxious to have other amendments offered to proceed at that time.

Mr. DURBIN. Would the chairman yield for a question?

Mr. SPECTER. I do.

Mr. DURBIN. I say to the chairman, I believe this amendment may be non-controversial. I do not know if there will be any time taken in opposition to the amendment. I would certainly be prepared to agree at 10:45 the vote would take place, if that would be appropriate, and then I would explain the amendment.

Mr. SPECTER. I thank the Senator from Illinois for that statement. Perhaps we ought to just formalize it in a unanimous consent agreement that the vote will occur at 10:45.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2196

Mr. DURBIN. Mr. President, I ask unanimous consent to set aside any pending amendment and call up amendment No. 2196, which is filed at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 2196.

Mr. DURBIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Health and Human Services to submit to Congress a plan for changing the numerical identifier used to identify medicare beneficiaries under the medicare program)

After section 221, insert the following:

SEC. 222. Not later than June 30, 2006, the Secretary of Health and Human Services shall prepare and submit to Congress a report outlining—

(1) a detailed plan for expeditiously changing the numerical identifier used to identify medicare beneficiaries under the medicare program so that a beneficiary's social security account number is no longer displayed on the identification card issued to the beneficiary under such program or on any explanation of medicare benefits mailed to the beneficiary; and

(2) the costs of implementing such plan.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, according to the Federal Trade Commission, identity theft is the fastest growing crime in America, striking 27.3 million Americans who have been victims in the last 5 years. Not only is identity theft increasing, it is becoming more expensive.

Several years ago, I received a phone call from a credit agency at my home in Springfield, IL. They said: Richard Durbin, we knew that we would finally catch up with you.

I said: What are you talking about?

They said: It is your credit card charges with a major chain of stores that were incurred in Denver, CO.

I said: I didn't incur any credit card charges.

It turned out my identity had been stolen. It took some time, and I finally got it straightened out, but I was one of the lucky ones.

Today's victims of identity theft spend an average of \$1,400 in out-of-pocket expenses to remedy their situation, an increase of 85 percent from years past.

A recent survey indicates that identity theft cost Americans \$52.6 billion in 2004—much of it accrued by businesses forced to write-off fraudulent charges.

According to the Federal Trade Commission, seniors are more vulnerable to fraud than other demographic groups.

In 2004, consumers over the age of 50 reported \$152 million in fraud losses to the FTC, which is likely only a small fraction of the fraud that took place.

A Social Security number is a key for an identity thief. With it, he or she can open a new credit card or bank account, as well as access existing accounts.

One of the main actions Federal, State and local governments instruct you to take in protecting yourself from identity theft is guarding your Social Security number.

Many States and local governments have gone further to protect their citizens. Twelve States have passed laws restricting the use of Social Security numbers, including Illinois where private insurers are prohibited from using Social Security numbers as patient identifiers.

Meanwhile, the Federal Government continues to print Social Security numbers on Medicare cards, leaving 40 million seniors with their Social Security numbers in plain sight.

Almost one-third of identity thieves get access to your personal information by stealing your wallet, checkbook or credit card.

If a senior's wallet is stolen, access to a Social Security number would be simple. Just look on their Medicare card.

Walter Hornby from Bartlett, IL wrote to me to tell me about what he calls a "Catch-22 situation." After he fell victim to identity theft, he was advised never to carry anything in his wallet that includes his Social Security number.

Mr. Hornby wrote:

All Medicare cards have Social Security numbers emblazoned on them in large print. I am sure many seniors carry their cards with them as proof of insurance, leaving them open to identity theft.

Mr. Hornby called CMS and the Social Security Administration, but was told it would "take an act of Congress to correct this situation." That is why we are here today.

According to a recent poll by the AARP, most seniors agree with Mr. Hornby. What is the percent of adults over the age of 50 who want Social Security numbers to appear on various documents? They asked of these seniors, How about Medicare cards? Yes, 25 percent; no, 70 percent. Seniors get it. They understand their vulnerability, but they don't know which way to turn. You need a Medicare card if you go to a hospital or provider. They want to have easy access, but there sits their Social Security number which could turn out making them vulnerable to identity theft.

A reporter asked a CMS spokesperson about whether the agency plans to change beneficiary identity numbers as a result of the rise of identity theft from seniors, and here is what he said:

We're looking at all sorts of alternatives, but right now our greatest priority is implementing the prescription drug program. We